

REMARKS

This Response and the Request for Continued Examination and following remarks are intended to fully respond to the Final Office Action dated May 25, 2005. In that Office Action, claims 1-26 were examined, and all claims were rejected. More particularly, claims 1-9 and 14-22 stand rejected under 35 U.S.C. § 102(e) as being unpatentable over Datta (USPN 6,622,168), hereinafter “Datta.” Claims 10, 11, 13, 23, 24 and 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Datta in view of Mattson (USPN 5,434,992), hereinafter “Mattson.” Claims 12 and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Datta in view of Smith (USPN 5,802,600), hereinafter “Smith.” Reconsideration of these rejections, as they might apply to the original and amended claims in view of these remarks, is respectfully requested.

In this Response, no claims are amended or cancelled. Therefore, claims 1-26 remain present for examination.

Interview Summary

The substance of the Interview between Examiner Ailes, Examiner Prieto, and Mr. Lewis on July 12, 2005 is as explained in Examiner’s Interview Summary dated July 15, 2005. More particularly, Mr. Lewis explained the present invention, Examiner Ailes clarified the rejections of claims 6-9, and Mr. Lewis agreed to file an Request for Continued Examination containing arguments discussed in the interview.

Arguments

In the Final Office Action, the Examiner detailed at length the basis for the rejections and the Examiner’s response to Applicants earlier arguments in paragraphs 24-32. From the discussion, it is clear that the Examiner’s and the Applicants’ difference in opinion arises from the Examiner’s interpretation of the claim term “render.” It appears that the Examiner is interpreting “render” to mean “produce” or “create.” For example, the Examiner states, “[b]y way of this system Datta produces the HTML fragments, or individual code blocks and convert each code block into an HTML fragment.” Office Action, paragraph 26 (*emphasis added*).

The Applicants, on the other hand, are using the ordinary use in a computer context, as understood by one skilled in the art, for the term “render,” e.g., The Merriam Webster’s Collegiate Dictionary, 10th Ed., copyright 1995, defines “render” as, “to reproduce or represent by artistic or verbal means : DEPICT,” or “to produce a copy or version of.” Merriam Webster’s Collegiate Dictionary, pg. 990. Further, Applicants use of the term connotes that rendering requires some kind of displaying. For example, the Microsoft Computer Dictionary, 5th Ed., defines render as, “[t]o produce a graphic image from a data file *on an output device* such as a video display or printer.” Microsoft Computer Dictionary, pg. 449 (*emphasis added*). Given the differences in meanings ascribed to the term “render,” the arguments of the Examiner and Applicant can be reconciled.

With regard to points (A) and (B) in the Office Action, Applicants agree that the objects in Datta, “previously produce HTML fragments,” in that the fragments are produced before they are requested by a client. However, the Applicants’ claimed invention requires “previously rendered” output, i.e., previously generated output that has at least once before been transmitted to and rendered at a client.

In effect, Datta is directed to a method of producing HTML before it is needed, while the Applicants’ claimed invention is directed to a method of reusing previously produced and rendered output data of an object. Thus, where Datta is very computing intensive (preproduction of data based on the anticipated actions of a client), Applicants’ claimed invention represents a significant reduction in computing load (by using previously rendered output where possible rather than generating such output again).

As to Examiner’s point (C) in the Office Action, Applicants maintain their position that the hierarchy in Datta is a hierarchy of web pages in a catalog and not a hierarchical tree of separate fragments used in a hierarchical method of making a renderable page of output as described in conjunction with Applicants’ FIGS. 4A and 4B.

As to Examiner’s point (D) in the Office Action, Applicants maintain their position that while Datta’s system may include instructions for output caching, these instructions are not part

of a “user control” as defined in the Applicants’ specification. Applicants’ user controls are such things as buttons and text boxes that allow a user to send information to the server. Datta simply contains no suggestion that specific components on a web page may be cached differently because such components contain their own output caching instructions.

Conclusion

This Amendment fully responds to the Final Office Action mailed on May 25, 2005. Still, that Office Action may contain arguments and rejections and that are not directly addressed by this Amendment due to the fact that they are rendered moot in light of the preceding arguments in favor of patentability. Hence, failure of this Amendment to directly address an argument raised in the Office Action should not be taken as an indication that the Applicants believe the argument has merit. Furthermore, the claims of the present application may include other elements, not discussed in this Amendment, which are not shown, taught, or otherwise suggested by the art of record. Accordingly, the preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability.

It is believed that no further fees are due with this Response. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

In light of the foregoing remarks, it is believed that the application is in condition for allowance and thus prompt allowance is respectfully solicited. Since the remarks above are believed to distinguish over the applied reference, any remaining arguments supporting the claim rejections are not acquiesced to because they are not addressed herein.

Respectfully submitted,

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PATENT TRADEMARK OFFICE



Tadd F. Wilson, Reg. No. 54,544
Merchant & Gould P.C.
PO Box 2903
Minneapolis, MN 55402-0903
303.357.1639